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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/825,686	04/15/2004	Heikki Olavi Haapiainen	2006978-0018	8865
24280 7590 03/11/2009 CHOATE, HALL & STEWART LLP TWO INTERNATIONAL PLACE BOSTON, MA 02110			EXAMINER SPAHN, GAY	
			ART UNIT	PAPER NUMBER
			3635	
			NOTIFICATION DATE	DELIVERY MODE
			03/11/2009	ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@choate.com

# Notice of Non-Compliant Amendment (37 CFR 1.121)

Application No.

10/825,686

Examiner

Gay Ann Spahn

Applicant(s)

HAAPIAINEN, HEIKKI OLAVI

Art Unit

3635

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on 09 December 2008 is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
  - ☐ A. Amended paragraph(s) do not include markings.
  - ☐ B. New paragraph(s) should not be underlined.
  - ☐ C. Other \_\_\_\_\_.
- ☒ 2. Abstract:
  - ☒ A. Not presented on a separate sheet. 37 CFR 1.72.
  - ☒ B. Other See Continuation Sheet.
- ☒ 3. Amendments to the drawings:
  - ☒ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
  - ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
  - ☒ C. Other See Continuation Sheet.
- ☐ 4. Amendments to the claims:
  - ☐ A. A complete listing of all of the claims is not present.
  - ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
  - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
  - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
  - ☐ E. Other: \_\_\_\_\_.
- ☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):  
See Continuation Sheet

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

## TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.
2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

**Extensions of time** are available under 37 CFR 1.136(a) only if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

**Failure to timely respond** to this notice will result in:

**Abandonment** of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or

**Non-entry** of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.

Continuation of 2(b) Other: With respect to box 2A above, the examiner notes that the Abstract must commence on a separate sheet of paper.

Continuation of 3(c) Other: With respect to box 3A above, the examiner notes that Applicant has put "Replacement Sheet 2", "Replacement Sheet 3", "Replacement Sheet 4", "Replacement Sheet 5", "Replacement Sheet 10", and "Replacement Sheet 11" on the top of his replacement sheets and this is Non-Compliant as no numbers should be included, just the words "Replacement Sheet" should be in the top margin. However, the examiner notes that the set of drawing figures filed on 11 June 2004 had the sheets numbered toward the top with sheet 1/12 through sheet 12/12 and this sheet numbering should be included on the replacement sheets.

Continuation of 5 Other: The examiner notes that on the first page of the "Response Under 37 C.F.R. 1.111" filed on 09 December 2008, Applicant has listed the Amendments to the Drawings as beginning on page 2, the Amendment to the Specification as beginning on page 3, the Amendment to the Claims as beginning on page 5, and the Remarks as beginning on page 9. However, the "Response Under 37 C.F.R. 1.111" filed on 09 December 2008 does not have any page numbering on the pages thereof. The examiner asks Applicant to put page numbering on the document he files in response to this Notice of Non-Compliant Amendment as it is difficult to refer Applicant to things in his response if there is no page numbering thereon.

/Gay Ann Spahn/  
Gay Ann Spahn, Primary Examiner  
March 3, 2009